HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE G.BHAVANI PRASAD

W.A.NO.111 OF 2006

-

Between:

Smt.P.Venkatasubamma

..... appellant

AND

Y.Krishnaiah and 3 others.

.....Respondents

::JUDGMENT::

Counsel for the Petitioner : Sri P.Veera Reddy

Counsel for Respondent No.1 : Sri N.Siva Reddy

Counsel for Respondent Nos.2 – 4 : GP for Civil Supplies

Dated 15..2..2006

Per Sri G.S.Singhvi, CJ

This appeal is directed against order dated 9.12.2005 passed by the learned Single Judge in WP No.26315 of 2005 filed by respondent No.1, whereby he quashed order dated 25.8.2005 passed by the District Collector, Kadapa staying order dated 30.7.2005 of Joint Collector, Kadapa and directed the District Collector to finally dispose of the revision petition filed by the appellant.

Learned counsel for the appellant argued that the order of the learned Single Judge is liable to be declared as nullity because the same was passed without issuing notice to his client.

In the context of the aforementioned submission of the learned counsel, we enquired from him as to why the appellant did not apply for review of the order of the learned Single Judge, thereupon, learned counsel made a request that his client may be permitted to withdraw the appeal with liberty to file an application for review of the order under challenge.

The request of the learned counsel is accepted and the appeal is dismissed as withdrawn with liberty to the appellant to apply for review of the order of the learned Single Judge. Needless to say that if the review petition filed by the appellant is dismissed, she will be entitled to challenge the order dated 9.12.2005 passed in the writ petition along with the order which may be passed in the review petition.

As a sequel to the dismissal of this appeal, the miscellaneous petition filed by the appellant for grant of interim relief is also dismissed.

G.S.SINGHVI, CJ

Dt.15.2.2006

G.BHAVANI PRASAD,J

msv